

## MEMORANDUM ENDORSED

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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United States of America, and States of the  
United States, *ex rel.* Patrick Donohue,

Plaintiffs,

-against-

RICHARD CARRANZA, in his official capacity  
as the former Chancellor of New York City  
Department of Education, *et al.*

Defendants.

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Case No. 20-cv-05396 (GHW)(SDA)

### **NOTICE AND STIPULATION OF VOLUNTARY DISMISSAL**

IT IS HEREBY STIPULATED AND AGREED by and between the respective undersigned counsel of, and attorneys of record for, Plaintiff-Relator, PATRICK DONOHUE, and Defendants LOS ANGELES UNIFIED SCHOOL DISTRICT and its former Superintendent, AUSTIN BEUTNER, in his official capacity (collectively, "LAUSD") (Plaintiff-Relator and LAUSD collectively the "Parties"), that Plaintiff-Relator hereby voluntarily dismisses the above-captioned action WITH PREJUDICE as against LAUSD pursuant to Federal Rules of Civil Procedure 41(a)(1)(A).

The Parties agree and acknowledge that voluntary dismissal of Plaintiff-Relator's claims under the federal False Claims Act (31 U.S.C. §§ 3729, *et seq.*) and the California False Claims Act (Cal. Gov. Code §§ 12650, *et seq.*) in the above-captioned action is subject to approval by this Court and the respective United States and California Attorneys General pursuant to this Court's Order of March 3, 2021 [ECF No. 5], 31 U.S.C. § 3730(b)(1) and Cal Gov. Code § 12652(c)(1). Pursuant to this Court's Order of September 19, 2022 [ECF No. 191] and as set forth in the letter dated September 26, 2022, from Plaintiff-Relator to this Court [ECF No. 194], Plaintiff-Relator sought and received the consent of the California Office of the Attorney General to the dismissal

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of Plaintiff-Relator's California State law claims against LAUSD; and Plaintiff-Relator sought and received the consent of the United States to the voluntary dismissal of Plaintiff-Relator's claims under the federal False Claims Act, without prejudice as to any claims of the United States, as against LAUSD.

Accordingly, the Parties hereby respectfully request that this Court approve the dismissal WITH PREJUDICE of the above-captioned action as against LAUSD; provided however, that the voluntary dismissal of Plaintiff-Relator's claims under the federal False Claims Act as against LAUSD is WITHOUT PREJUDICE as to the United States.

Date: October \_\_, 2022  
New York, New York

**Brain Injury Rights Group, Ltd.**

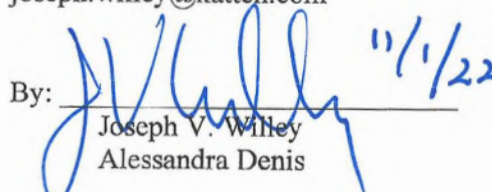
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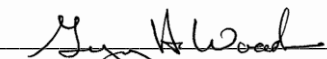
**SO ORDERED**

Dated:

HONORABLE GREGORY H. WOODS  
UNITED STATES DISTRICT JUDGE

Plaintiff-Relator, Patrick Donohue, and Defendants Los Angeles Unified School District and Austin Beutner have stipulated to the dismissal of Plaintiff's claims with prejudice against Defendants Los Angeles Unified School District, except that dismissal of Plaintiff-Relator's claims under the False Claims Act be dismissed without prejudice as to the United States. The Clerk of Court is directed to remove Defendants Los Angeles Unified School District from the caption of this case.  
SO ORDERED.

Dated: November 3, 2022  
New York, New York

  
GREGORY H. WOODS  
United States District Judge